

**United States Bankruptcy Court
District of Maryland**

In re Tonya H. Howes

Debtor(s)

Case No. 16-22829Chapter 13

CHAPTER 13 PLAN

☒ Original Plan☐ Amended Plan☐ Modified Plan

The Debtor proposes the following Chapter 13 plan and makes the following declarations:

1. The future earnings of the Debtor are submitted to the supervision and control of the Trustee, and Debtor will pay as follows (select only one):
 - a. \$ 2,677.00 per month for a term of 60 months. OR
 - b. \$ _____ per month for _____ month(s),
\$ _____ per month for _____ month(s),
\$ _____ per month for _____ month(s), for a total term of _____ months. OR
 - c. \$ _____ per month prior to confirmation of this plan, and \$ _____ per month after confirmation of this plan, for a total term of _____ month(s),
2. From the payments received, the Trustee will make the disbursements in the order described below:
 - a. Allowed unsecured claims for domestic support obligations and trustee commissions.
 - b. Administrative claims under 11 U.S.C. § 507(a)(2), including attorney's fee balance of \$ 0.00 (unless allowed for a different amount by an order of Court).
 - c. Claims payable under 11 U.S.C. § 1326(b)(3). Specify the monthly payment: \$ 0.00.
 - d. Other priority claims defined by 11 U.S.C. § 507(a)(3) - (10). The Debtor anticipates the following claims:

ClaimantComptroller of the Treasury
Internal Revenue ServiceAmount of Claim2,000.00
5,000.00

- e. Concurrent with payments on non-administrative priority claims, the Trustee will pay secured creditors as follows:
 - i. Until the plan is confirmed, adequate protection payments and/or personal property lease payments on the following claims will be paid directly by the Debtor; and, after confirmation of the plan, the claims will be treated as specified in 2.e.ii or 2.e.iii, below (designate the amount of the monthly payment to be made by the Debtor prior to confirmation, and provide the redacted account number (last 4 digits only), if any, used by the claimant to identify the claim):

Claimant**-NONE-**Redacted Acct. No.Monthly Payment

- ii. Pre-petition arrears on the following claims will be paid through equal monthly amounts under the plan while the Debtor maintains post-petition payments directly (designate the amount of anticipated arrears, and the amount of monthly payment for arrears to be made under the plan):

Claimant

Successor to The Columbia Bank

Anticipated Arrears200,197.00Monthly Payment4,352.11No. of Mos.46

- iii. The following secured claims will be paid in full, as allowed, at the designated interest rates through equal monthly amounts under the plan:

<u>Claimant</u>	<u>Amount</u>	<u>% Rate</u>	<u>Monthly Payment</u>	<u>No. of Mos.</u>
-NONE-				

- iv. The following secured claims will be satisfied through surrender of the collateral securing the claims (describe the collateral); any allowed claims for deficiencies will be paid pro rata with general unsecured creditors; upon confirmation of the plan, the automatic stay is lifted, if not modified earlier, as to the collateral of the listed creditors:

<u>Claimant</u>	<u>Amount of Claim</u>	<u>Description of Collateral</u>
-NONE-		

- v. The following secured claims are not affected by this plan and will be paid outside of the plan directly by the Debtor:

<u>Claimant</u>
-NONE-

- vi. If any secured claim not described in the previous paragraphs is filed and not disallowed, that claim shall be paid or otherwise dealt with outside the plan directly by the Debtor, and it will not be discharged upon completion of the plan.

- vii. In the event that the trustee is holding funds in excess of those needed to make the payments specified in the Plan for any month, the trustee may pay secured claims listed in paragraphs 2.e.ii and 2.e.iii in amounts larger than those specified in such paragraphs.

- f. After payment of priority and secured claims, the balance of funds will be paid 100% on allowed general, unsecured claims. (If there is more than one class of unsecured claims, describe each class.)

3. The amount of each claim to be paid under the plan will be established by the creditor's proof of claim or superseding Court order. The Debtor anticipates filing the following motion(s) to value a claim or avoid a lien. (Indicate the asserted value of the secured claim for any motion to value collateral.):

<u>Claimant</u>	<u>Amount of Claim</u>	<u>Description of Property</u>
-NONE-		

4. Payments made by the Chapter 13 trustee on account of arrearages on pre-petition secured claims may be applied only to the portion of the claim pertaining to pre-petition arrears, so that upon completion of all payments due under the Plan, the loan will be deemed current through the date of the filing of this case. For the purposes of the imposition of default interest and post-petition charges, the loan shall be deemed current as of the filing of this case.

5. Secured Creditors who are holding claims subject to cramdown will retain their liens until the earlier of the payment of the underlying debt determined under nonbankruptcy law, or discharge under § 1328; and if the case is dismissed or converted without completion of the plan, the lien shall also be retained by such holders to the extent recognized under applicable nonbankruptcy law.

6. The following executory contracts and/or unexpired leases are assumed (or rejected, so indicate); any unexpired lease with respect to personal property that has not previously been assumed during the case, and is not assumed in the plan, is deemed rejected and the stay of §§ 362 and/or 1301 is automatically terminated:

<u>Other Party</u>	<u>Description of Contract or Lease</u>	<u>Assumed or Rejected</u>
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Other PartyDescription of Contract or LeaseAssumed or Rejected**-NONE-**

7. Title to the Debtor's property shall revert in the Debtor when the Debtor is granted a discharge pursuant to 11 U.S.C. § 1328, or upon dismissal of the case, or upon closing of the case.
8. Non-Standard Provisions:
\$99,918.00 lumpsum payment in month 5
A. Plan confirmation shall be without prejudice to debtor objecting to the claims provided for in the plan or previously filed in this case. The debtor also reserves and retains the right to file an objection to any proof of claim that does not comply with the applicable provisions of the Bankruptcy Code, the Rules of Bankruptcy Procedure, and the Local Rules of this Court. And, to the extent that the debtor is required to list and schedules all debts in the Official Forms filed with this case, such a listing shall not be construed as a waiver or an estoppel to the right of the debtor to pursue any such objections.
B. Plan confirmation shall be without prejudice to the parties' claims in the pending appeal before the Fourth Circuit, Civil #15-2332; Jeffrey v. Howes, et al. v. Wells Fargo Bank, NA et al. No mortgage claim shall be paid until the appeals are fully and finally resolved, with no further appeal possible, and the mortgage claim is allowed.
C. Debtor shall promptly pay into an attorney escrow account held by her counsel Robert J. Haeger an amount equal to her regular monthly post-petition mortgage payment without prejudice to her mortgage litigation claims and in lieu of directly making any mortgage payments pending resolution of those claims.

**Robert J. Haeger, Attorney for the Debtor(s), Maryland Federal Bar No. 25434
 11403 Seneca Forest Circle, Germantown, MD 20876
 Voice (888) 463-3520; Fax (240) 454-8193; www.haegerlaw.com**

Date October 26, 2016Signature /s/ Tonya H. HowesTonya H. Howes

Debtor

Attorney /s/ Robert J. Haeger
Robert J. Haeger

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
GREENBELT DIVISION

In re: Tonya H. Howes : Case No. 16-22829-WIL
Debtor : Chapter 13

CERTIFICATE OF SERVICE

I hereby certify that on October 26, 2016, I caused a copy of the Debtor's Statement of Financial Affairs, Schedules, Chapter 13 Plan, and Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income to be served on the below listed trustee electronically by the CM/ECF system, and on October 27, 2016 I caused a copy of Debtor's Chapter 13 Plan to be mailed, first class, postage prepaid, to all creditors listed on the attached Court's mailing matrix.

Nancy L. Spencer Grigsby (BY ECF)
Chapter 13 Trustee

Respectfully submitted,
/s/ Robert J. Haeger, October 27, 2016
Robert J. Haeger, Bar No. 25434
Attorney for Debtor
11403 Seneca Forest Circle
Germantown, MD 20876
(888) 463-3520; www.haegerlaw.com

Label Matrix for local noticing
0416-0
Case 16-22829
District of Maryland
Greenbelt
Thu Oct 27 14:00:09 EDT 2016

Alpat Company, Inc
POB 1689
Slidell, LA 70459-1689

Bank of America
PO Box 15026
Wilmington, DE 19850-5026

(p)BANK OF AMERICA
PO BOX 982238
EL PASO TX 79998-2238

Chase Bank USA, NA
PO Box 15298
Wilmington, DE 19850-5298

Childrens Hospital
PO Box 37214
Baltimore, MD 21297-3214

Childrens National Medical Assoc
PO Box 37214
Baltimore, MD 21297-3214

Citibank, N.A.
701 East 60th Street North
Sioux Falls, SD 57104-0493

Comptroller of the Treasury
Compliance Division - Room 409
301 West Preston Street
Baltimore, MD 21201-2305

Comptroller of the Treasury
Compliance Division, Room 409
301 W. Preston Street
Baltimore, MD 21201-2305

Internal Revenue Service
Centralized Insolvency Operation
POB 7346
Philadelphia, PA 19101-7346

Jeffrey V. Howes
7000 Meandering Stream Way
Fulton, MD 20759-2302

Midland Funding
8875 Aero Dr, Ste 200
San Diego, CA 92123-2255

Midland Funding LLC
c/o American InfoSource LP
POB 268941
Oklahoma City, OK 73126-8941

Prince George's County
Treasurer Division
Room 1090
Upper Marlboro, MD 20772

State of Maryland
Central Collection Unit
300 West Preston St
Baltimore, MD 21201-2307

State of Maryland DLLR
Division of Unemployment Insurance
1100 N. Eutaw Street, Room 401
Baltimore, MD 21201-2225

Successor to The Columbia Bank
c/o Mark S. Devan, Esquire
Alba Law Group, P.A.
11350 McCormick Road, Ste. 200
Hunt Valley, MD 21031-1002

Nancy Spencer Grigsby
185 Admiral Cochrane Dr.
Suite 240
Annapolis, MD 21401-7493

Robert Haeger
Haeger Law
11403 Seneca Forest Circle
Germantown, MD 20876-4307

Tonya H Howes
8101 Sandy Spring Rd, #240
Laurel, MD 20707-3596

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Bank of America
PO Box 982235
El Paso, TX 79998-2238

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)US BANK TRUST NATIONAL ASSOCIATION, AS TRU

(u)Green Delivery Service, Inc.

INVALID ADDRESS PROVIDED

End of Label Matrix

Mailable recipients 20

Bypassed recipients 2

Total 22